

APR 16 2024
Samella Ramon Horsley
3c USA

FILED
Special Private Priority in Confidence

IN GOOD FAITH

2024 MAY 2
**UNITED STATES DISTRICT COURT
FOR THE
EASTERN DISTRICT OF VIRGINIA
ALEXANDRIA DIVISION**

ALEXANDRIA
GENERAL DISTRICT COURT
FILED
APR 16 2024
MARION JACKSON, CLERK
BY:

SUMMER ROAD PARTNERS LLC
HEATHER STONE FUND, LLC
FALL STREET MANAGEMENT, LLC
LINK HILL PARTNERS, LLC
MARK INVESTOR, LLC d/b/a
THE MARK BY SOLAIRE

REG MAIL NO. RF 371 830 168 US

1:24-cv-781

CIVIL CASE NO.: GV24001063-00
[GV24000542-00- DISMISSED 2/20/2024]

Debt Collectors/ Corporation / Plaintiffs,

v.

SAMELLA RAMON HORSLEY®, "estate"

Legal Fiction / Defendant.

NEGOTIABLE INSTRUMENT #28315652927
dated 2-24-2024 TENDERED AS PAYMENT
TO PLAINTIFFS ON 7 MARCH 2024
THEREFORE, THIS DISPUTED DEBT
AND ALL UNLAWFUL CLAIMS
AGAINST DEFENDANT HAS BEEN
SATISFIED AND DISCHARGED-§ 8.3A-311
12 CFR 1026.13 & 15 USC 1666
28 USC 1331 & 28 USC 1332
18 USC 8

NOTICE OF REMOVAL

Comes now Samella Ramon Horsley, as Grantor / Beneficiary ("sui juris") dba
SAMELLA RAMON HORSLEY (Defendant), in the above captioned cause, moves that the
court takes "JUDICIAL NOTICE" to the defendants "NOTICE OF REMOVAL".

To all parties and their counsel of record, please take notice that the instant matter before
THE ALEXANDRIA CITY GENERAL DISTRICT COURT FOR COMMONWEALTH OF

VIRGINIA as cited above is HEREBY REMOVED TO THE district court of the united states, located at 401 Courthouse Square, Alexandria, Virginia, 22314, as per the requirements as stipulated in 28 U.S.C. §1446(a)(b) for further proceedings.

WARNING TO STATE COURTS AND LAW ENFORCEMENT

NO TRESPASS :

This removal shall divest and disqualify the The Alexandria City General District Court for COMMONWEALTH of Virginia, all law enforcement, including its' sheriffs from taking any further action in the underlying case for want of jurisdiction under **28 U.S.C. 1332, 1441, 1446, 1453, et al., and FRCP Rule 11. You are hereby Ordered to Cease and Desist.**

28 U.S.C. §1446(b). The notice of removal of a civil action or proceeding shall be within thirty days after the receipt by the defendant, through service or otherwise, of a copy of the initial pleading set forth the claim for relief upon which such action or proceeding is based, or within thirty days after service of summons upon the defendant if such initial pleading has been filed in court and is not required to be served on the defendant, whichever period is shorter.

U.S. Code, Title 28, Part IV, Chapter 89, § 1441(f) under Derivative Removal Jurisdiction states: "The court to which a civil action is removed under this section is not precluded from hearing and determining an claim in such civil action because the State court from which such civil action is removed did not have jurisdiction over that claim." (15 USC 1666 "Bonafide Dispute", 18 USC 8, 12 cfr 1026.13 "Billing Dispute Resolution/Error")

Copies of this Notice are being served on counsel for Plaintiff's and filed with the Clerk of Court Ms. Marion W. Jackson [Debt Collector] for The Alexandria City General District

Court for COMMONWEALTH of Virginia, 520 King Street, #201, Alexandria, Virginia, 22314 (Certified Mail No. 9589 0710 5270 0597 6953 96) ; Sheriff Sean Casey, 2003 Mill Road, Alexandria, Virginia, 22314 (Certified Mail No. 9589 0710 5270 0597 6954 02) and Chambers of Hon. Donald M. Haddock, Jr., Chief Judge, (Debt Collector) 520 King Street, #201, Alexandria, Virginia, 22314 (Certified Mail No. 9589 0710 5270 0597 6954 19).

ADDITIONAL PLAINTIFF'S UNLAWFULLY ADDED ON MARCH 12, 2024

Without consent or knowledge of Defendant, Sidney Washington, attorney for Plaintiffs' unlawfully and intentionally added SUMMER ROAD PARTNERS LLC, HEATHER STONE FUND, LLC, FALL STREET MANAGEMENT, LLC to this matter. [*fraud upon the Court*]

DEFENDANT DID NOT CONSENT TO ALEXANDRIA CITY COURTS JURISDICTION AND DID NOT ACCEPT ITS' OFFER TO CONTRACT

It should be noted that "A void order, which is one entered by court which lacks jurisdiction over parties or subject matter, or lacks inherent power to enter judgment, or order procured by fraud, can be attacked at any time, in any court, either directly or collaterally," People ex rel. Brzica v. Village of Lake Barrington, 644 N.E.2d 66 (Ill. App. 2 Dist. 1994). "Obviously a judgment, though final and on the merits, has no binding force and is subject to collateral attack if it is wholly void for lack of jurisdiction of the subject matter or person, and perhaps for excess of jurisdiction, or where it is obtained by extrinsic fraud." (7 Witkin, Cal. Procedure, supra, Judgment, § 286, p. 828.). Section 437, subdivision (d), provides that a court, on noticed motion, may set aside void judgments and orders.

It should be further noted that 28 U.S. Code 1443 states "Any of the following civil actions or, commenced in a State court may be removed by the defendant to the district

court of the united states for the district and division embracing the place wherein it is pending: (1) Against any person who is denied or cannot enforce in the courts of such State a right under any law providing for the equal civil rights of citizens of the United States, or of all persons within the jurisdiction thereof; (2) For any act under color of authority derived from any law providing for equal rights, or for refusing to do any act on the ground that it would be inconsistent with such law.”

In the eviction action in the state court, Plaintiff has displayed a retaliatory conduct while administering service to the beneficiary of record. Plaintiff has not been forth coming and truthful about the acceptance of the tender of payment and other conditional acceptance notices they received between December 13, 2023 to current. (VA Section 83.A-311, 18 USC 8, 24 CFR 982.308, 24 CFR 982.311, 24 CFR 982.312, 24 CFR 982.4, 12 CFR 1026.13, 15 U.S. Code Section 1666)

In the eviction action in the state court, the judge has been partial in the matter of allowing the defendant “Due process of law”.

Without jurisdiction, complete jurisdiction, no court can issue a judgment that isn’t void, a nullity, without force or effect, on its face and in fact because there was an incomplete or incompetent jurisdiction for the State Court thus enabling jurisdictional failure to appear on the face of the record, making the eviction action void and subject to vacate with damages. The Court was obligated to uphold and protect the Constitution of the united states. The State Court was obligated to redress confirmed injustice. The Court was obligated to report violations of rules of professional conduct of both the attorney and judges once the defendant informed the courts of a conflict of interest, its’ lack of jurisdiction, etc.

Defendant(s) are seeking separately for damages for the wrongful acts performed by the

Plaintiff's, SUMMER ROAD PARTNERS LLC, HEATHER STONE FUND, LLC, FALL STREET MANAGEMENT, LLC, LINK HILL PARTNERS, LLC, MARK INVESTOR, LLC d/b/a THE MARK BY SOLAIRE both Attorney and [Judge].

This removal is dual in purpose; first to remove the pending state case from state court and second to challenge a statutory scheme which is ongoing and denying a legal right to fully defend an eviction case by challenging the legality, jurisdiction, fraud upon the court, unfair deceptive practices, etc.

This action as removal is sought to be under FRCP Rule 42. The core of the federal civil action also attacks the problem of state courts routine but illegal denial of a recognized due process of law, thus presenting a ripe FEDERAL QUESTION concerning an unfair application of state law.

STAY ON PRIOR STATE ACTS ACTIVITY REQUESTED

Defendants moves within this removal a self-contained Motion for a STAY on any Consideration by this court of the state eviction matter and that this court not act in a sudden, knee-jerk manner by ordering the eviction of an entire family onto the street. This petition is seeking all tiers of stay including temporary restraining order, issued sua sponte or on any motion until the constitutional issues raised are declared either constitutional or unconstitutional and their rights be judicially defined.

There is no detriment to any party by way of a delay in this proceeding and the important public interest in fair access to judicial rights and defense is of tremendous concern to this and all courts in Virginia. No other means at law exist to protect defendant's rights and those similarly form this on-going built-in judicial abuse and disparity over those that can't afford the legal

assistance.

Removing party asks that the usual provision of the time constraints applicable to removals be stayed and waived to allow this challenge to be perfected with due process of law.

CONCLUSION

This court therefore has jurisdiction over the parties involved in this instant matter and the Removal and Petition are meant to achieve an urgently necessary determination, to with, movant Samella Ramon Horsley as grantor, settlor, beneficiary, and heir dba SAMELLA RAMON HORSLEY (Defendant) seeks in good faith to achieve. All rights to amend are reserved.

I, Samella Ramon Horsley affirm that the above claims are true, only accurate, based on firsthand knowledge, information, facts and conclusion of actual law. This document is witnessed by and before god on this day April 30th, 2024 as such under penalties of divine retribution if otherwise so help me god

Executed on this 30th day of April two thousand twenty-four.

Further, Affiant(s) Sayeth Naught

samella: family of horsley as grantor, settlor, beneficiary & heir, donor
authorized representative for SAMELLA RAMON HORSLEY (Defendant)

Without Recourse, Without Prejudice & All Rights Reserved

UCC 1-308 without recourse
samella horsley, grantor, beneficiary
By: Horsley, Samella, Grantor, Benef
Qualified Endorsement of the Beneficiary

**"IN THE MOUTH OF TWO OR THREE WITNESSES LET
EVERY WORD BE ESTABLISHED"**

B. Han 30th April 2024

Witness #1 date

Justin E. Lutz 4/30/2024

Witness #2 date

Certificate of Service

I HEREBY CERTIFY that a true and correct copy of the foregoing has been finished and mailed by US Postal Service to: Sidney Washington, 8000 Towers Crescent Drive, Suite 1400, Vienna, Virginia, 22182 (Certified Mail No. 9589 0710 5270 0597 6954 57)

Done this 30th day of April 2024

/s/ Samella Ramon Horsley

Qualified Endorsement of the Beneficiary